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उप-खण्ड (I)

राज्य सरकार तथा अन्य राज्य-प्राधिकारियों द्वारा जारी किये गये (सामान्य आदेशों, उप-विधियों आदि को सम्मिलित करते हुए) सामान्य कानूनी नियम।

DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT
DIRECTORATE OF SPECIALLY ABLED PERSONS
NOTIFICATION
Jaipur, October 14, 2021

G.S.R.361 .-In exercise of the powers conferred by sub-sections (1) and (2) of section 101 of the Rights of Persons with Disabilities Act, 2016 (Central Act No. 49 of 2016) , the State Government hereby makes the following amendment rules, namely:-

1. Short title and commencement.- (1) These rules may be called the Rajasthan Rights of Persons with Disabilities (Amendment) Rules,2021.

(2) They shall come into force from the date of their final publication in the Official Gazette.

2. Amendment of rule 5.- The existing rule 5 of the Rajasthan Rights of Persons with Disabilities Rules, 2018, hereinafter referred to as the said rules, shall be substituted by the following, namely:-

"**5. Reservation of vacancies for Persons with Disabilities**.- (1) In every establishment four percent of the total number of vacancies of the posts identified for each disability by the Government of India under section 33 of the Act shall be reserved for persons with benchmark disabilities of which, one percent each shall be reserved for person with benchmark disability under the following clause (a), (b) and (c) and one percent for person with benchmark disabilities under clauses (d) and (e), namely:-

(a) Blindness and low vision;

(b) Deaf and hard of hearing;

(c) Locomotor disability including cerebral palsy, leprosy cured, dwarfism, acid attack victims and muscular dystrophy;

(d) Autism, intellectual disability, specific learning disability and mental illness;

(e) Multiple disabilities from amongst persons under clauses (a) to (d) including deaf-blindness in the posts identified for each disabilities,

such reservation of vacancies shall be treated as horizontal reservation and the vacancies for persons with benchmark disabilities shall be maintained as a separate class:

Provided that where the nomenclature of any post in the State Government is different from the post in Government of India or any post in the State Government does not exist in any department of the Government of India, the matter shall be referred to the Committee constituted under rule 6 for identification of the equivalent post in the State Government. The

Committee shall identify the equivalent post on the basis of nature of job and responsibility of each post.

Provided further that the reservation in promotion shall be in accordance with the such instructions as may be issued by the State Government, from time to time.

(2) Reservation in posts identified for one or more categories,-

(a) if a post is identified suitable only for one category of disability, reservation in that post shall be given to persons with that disability only;

(b) reservation of 4 percent in direct recruitment and promotion shall not be reduced in such cases and total reservation in the post will be given to persons suffering from the disability for which it has been identified;

(c) if in case the post is identified suitable for two categories of disabilities, reservation shall be distributed between persons with those categories equally as far as possible.

(3) Maintenance of Rosters,-

(a) All establishments shall maintain a separate 100 points roster register for determining/effecting reservation for the persons with benchmark disabilities.

(b) The register shall have cycle of 100 points of the roster and each cycle of 100 points shall be divided into four blocks, comprising the following points:

1st Block-Point No. 1 to Point No. 25
2nd Block-Point No. 26 to Point No. 50
3rd Block-Point No. 51 to Point No. 75
4th Block-Point No. 76 to Point No. 100

In above each block one point shall be earmarked and reserved for persons with benchmark disabilities out which one point for each of the three categories of benchmark disabilities mentioned in clauses (a), (b) and (c) and one point for categories of benchmark disabilities mentioned in clauses (d) and (e) of sub-section (1) of section 34.

(c) All the vacancies shall be entered in the relevant roster register which shall be maintained by the head of the establishment.

(d) After all the 100 points of the roster are covered, a fresh cycle of 100 points shall start.

(4) Where in any recruitment year any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and if in the succeeding recruitment year also suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability:

Provided that if the nature of vacancies in an establishment is such that a given category of person cannot be employed, the vacancies may be interchanged among the five categories with the prior approval of the State Government.

3. Addition of new rule 6A.- After the existing rule 6 and before the existing rule 7 of the said rules, the following new rules 6A and 6B shall be inserted, namely:-

"**6A. Relaxation in age.**- The maximum age limit prescribed for direct recruitment in the relevant service rules shall be relaxed by 5 years for persons with benchmark disabilities specified under rule 5. Such age relaxation shall be in addition to the age relaxation already provided to different categories in relevant service rules.

6B. Concessions.- The concessions of 5 percent of qualifying or pass marks in individual paper and/or in aggregate marks, wherever prescribed in any examination shall be allowed to the person having benchmark disabilities for making him eligible for employment."

[No. F. (10)/SAP/Act/15374]
By Order and in the name of the Governor,
Dr. Samit Sharma,
Secretary to the Government.

राज्य केन्द्रीय मुद्रणालय,जयपुर।